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PTO/SB/05 (03-01)

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	8932-736-999	Total Pages	14
<i>First Named Inventor or Application Identifier</i>			
Robert MATHYS, Jr. et al.			
Express Mail Label No.			

**APPLICATION ELEMENTS**

See MPEP chapters 600 concerning utility patent application contents.

**Commissioner for Patents**  
P.O. Box 1450  
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Alexandria, VA 22313-1450

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| 1. <input checked="" type="checkbox"/> Fee Transmittal Form<br><i>(Submit an original, and a duplicate for fee processing)</i>   | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program<br>(Appendix)  |  |  |
| 2. <input type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27   | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i>   |  |  |
| 3. <input checked="" type="checkbox"/> Specification<br><i>(preferred arrangement set forth below, MPEP 1503.01)</i>   | a. <input type="checkbox"/> Computer Readable Form (CRF)  |  |  |
|  | b. <input type="checkbox"/> Specification Sequence Listing on:<br>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br>ii. <input type="checkbox"/> paper |  |  |
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| 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113)<br>[Total Sheets 1 ]  | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))   |  |  |
| 5. <input checked="" type="checkbox"/> Oath or Declaration (unexecuted)<br>a. <input type="checkbox"/> Newly executed (original or copy)   | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement<br><i>(when there is an assignee)</i>   | <input type="checkbox"/> Power of Attorney       |  |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br><i>(for continuation/divisional with Box 18 completed)</i>   | 11. <input checked="" type="checkbox"/> English Translation Document of PCT/CH01/00069  |  |  |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).   | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449  | <input type="checkbox"/> Copies of IDS Citations |  |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76  | 13. <input type="checkbox"/> Preliminary Amendment  |  |  |
| 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:   | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>  |  |  |
| <input checked="" type="checkbox"/> Continuation of the U.S. National Stage designation of copending International Patent Application PCT/CH01/00069, filed January 30, 2001   | 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>  |  |  |
| Prior application information: Examiner: Group Art Unit:   | 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent                         |  |  |
| For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. |   |  | 17. <input type="checkbox"/> Other: Courtesy copies of: WO 02/060356 A1; International Search Report; Second Written Decision of Auth. of Int'l. Prelim. Exam. (8/27/02); and Int'l Prelim. Exam Report (3/31/03). |

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ATTORNEY DOCKET NO. 8932-736-999

Date: July 30, 2003

Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Robert MATHYS, Jr.; Executed on: (Unexecuted)  
Beat LECHMANN; and  
Beat GASSER

Title of Invention: BONE IMPLANT, IN PARTICULAR, AN INTER-VERTEBRAL IMPLANT

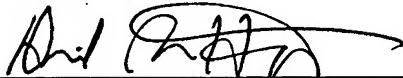
**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	33	- 20	13	\$18.00 each	\$ 234
Independent	3	- 3	0	\$84.00 each	\$ 0
			Minimum Fee		\$ 750
			Multiple Dependency Fee		\$ 0
			If Applicable (\$280.00)		
				Total	\$ 984
			Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern		\$ 0
				Total Filing Fee	\$ 984

[ X ] This is a Continuation of the U.S. National Stage designation of copending International Patent Application PCT/CH01/00069, filed January 30, 2001, the entire content of which is expressly incorporated herein by reference thereto.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

  
For: David J. Baltazar Reg. No. 53,964  
Brian M. Rothery Reg. No. 35,340  
PENNIE & EDMONDS LLP

Enclosure